REMARKS

Claims 1-12 are pending in this application. Claims 1-11 are amended herein. Claim 12 is added herein. Support for the amendments to the claims may be found in the claims as originally filed. Reconsideration is requested based on the foregoing amendment and the following remarks.

Claim Rejections - 35 U.S.C. § 112:

Claims 1-11 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1-11 were amended to make them more definite. Withdrawal of the rejection is earnestly solicited.

Claim Rejections - 35 U.S.C. § 103:

Claims 1-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 0 987 866 to Stoffelsma (a.k.a. "Bouke") in view of obviousness. The rejection is traversed. Reconsideration is earnestly solicited.

In the claimed invention, a communication line may be switched to another communication line connected to the same destination or home server. Thus, in the claimed invention, if a user is using a service such as, for example, streaming, the service can be used continuously, since the same home server is used before and after the switch.

In Bouke, in contrast, a communication line is switched to a different destination. In particular, as described in the Abstract,

> The connection unit (3) sets up a data connection between a first data processing system e.g. PC (2) and a second data processing system e.g. web server, depending on a request from the first system to transfer a data element present in the second system. The second system and data element are indicated using an address. An address generator generates a second address depending on the request address and initiates setting up the connection to the data processing system and data element indicated by the second address.

Furthermore, in Bouke, a connecting unit, such as a proxy, establishes a data connection between a terminal, such as a PC, and an ISP, which is the destination of the terminal, in accordance with a service which a user wants to use. Bouke, thus, pertains to setting up a data connection between a PC and a web server, depending on a request from the PC to transfer a data element from the web server, and not a line switching system of a local area network at all.

Claim 1, in particular, recites,

"a data destination switching portion for transferring packet data received for the terminal to the communication line, after the switching."

Bouke neither teaches, discloses, nor suggests "a data destination switching portion for transferring packet data received for the terminal to the communication line, after the switching," as recited in claim 1. The Office Action acknowledges graciously the fact that Bouke shows no "data destination switching portion for transferring packet data received for the terminal to the communication line, after the switching," as recited in claim 1, and attempts to ameliorate this deficiency of Bouke by asserting at pages 7 and 8 that:

> However, it would have been obvious for one in the ordinary skill in the art to switch communication lines to transmit data in the teachings of Bouke because Bouke has the capability to create new data connections between client and server for transmitting data elements that have special requirements, and also because Bouke teaches different forms of communication working alongside each other (Bouke, pg 6, paragraph 10). Therefore it would have been obvious to switch communication lines in Bouke in order to handle client requests for data elements having special requirements for transmission.

Claim 1, however, recites "data destination switching portion for transferring packet data received for the terminal to the communication line, after the switching," not simply switching communication lines, or transmitting data elements that have special requirements, as described in the Office Action. Thus, even if Bouke were modified as proposed in the Office Action, the claimed invention would not result. Claim 1 is submitted to be allowable. Withdrawal of the rejection of claim 1 is earnestly solicited.

Claims 2-6 depend from claim 1 and add additional distinguishing elements. Claims 2-6 are thus also submitted to be allowable. Withdrawal of the rejection of claims 2-6 is earnestly solicited.

Claim 7:

Claim 7 recites,

"a data destination switching portion for transferring packet data received from the terminal to the communication line after the switching."

Bouke neither teaches, discloses, nor suggests "a data destination switching portion for transferring packet data received from the terminal to the communication line after the switching," as discussed above with respect to claim 1.

Claim 7 recites further,

"a switch instruction receiving portion for receiving a switch instruction transmitted from the server and the address in the buffer indicating data received by the server."

Bouke neither teaches, discloses, nor suggests "a switch instruction receiving portion for receiving a switch instruction transmitted from the server and the address in the buffer indicating data received by the server, as recited in claim 7. Furthermore, the destination side of the terminal of Bouke, i.e. ISP1 or ISP2, has none of the structure of the claimed invention, in which the destination side can transfer an address in the buffer. Thus, in Bouke, if the user switches the communication line while using a service, the service is disconnected. The user must needs access the web site again to restart the service. In any case, even if the user restarts the service, the data transmitted while the communication line was disconnected will be lost.

In the claimed invention, in contrast, the user can restart the service without losing data transmitted during the period in which the communication line was disconnected, since it is stored in a buffer. Claim 7 is thus submitted to be allowable for at least those reasons discussed above with respect to claim 1. Withdrawal of the rejection of claim 7 is earnestly solicited.

Claim 8:

Claim 8 recites,

"a data destination switching portion for transferring packet data received from the terminal to the communication line after the switching."

Bouke neither teaches, discloses, nor suggests "a data destination switching portion for transferring packet data received from the terminal to the communication line after the switching," as discussed above with respect to claim 1.

Claim 8 recites further,

"a switch instruction receiving portion for receiving a switch instruction transmitted from the server and the address in the buffer indicating data received by the server."

Bouke neither teaches, discloses, nor suggests "a switch instruction receiving portion for receiving a switch instruction transmitted from the server and the address in the buffer indicating data received by the server, as discussed above with respect to claim 7. Claim 8 is thus submitted to be allowable for at least those reasons discussed above with respect to claims 1 and 7. Withdrawal of the rejection of claim 8 is earnestly solicited.

Claims 9, 10, and 11 depend from claim 8 and add additional distinguishing elements. Claims 9, 10, and 11 are thus also submitted to be allowable. Withdrawal of the rejection of

claims 9, 10, and 11 is earnestly solicited.

<u>Claim 4:</u>

Claims 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bouke in view of U.S. Patent No. 6,275,497 to Varma <u>et al.</u> (hereinafter "Varma"). The rejection is traversed. Reconsideration is earnestly solicited.

Claim 4 depends from claim 1 and adds additional distinguishing elements. Bouke neither teaches, discloses, nor suggests "a data destination switching portion for transferring packet data received from the terminal to the communication line after the switching," as discussed above with respect to claim 1. Varma does not either, and thus cannot make up for the deficiencies of Bouke with respect to claim 4. Claim 4 is thus also submitted to be allowable. Withdrawal of the rejection of claim 4 is earnestly solicited.

New Claim 12:

Claim 12 recites,

"transferring said data at said address in the buffer over a candidate communication line after switching to said candidate communication line."

None of the cited references show "transferring said data at said address in the buffer over a candidate communication line after switching to said candidate communication line," as recited in claim 12. Claim 12 is thus believed to be allowable.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 1-12 are allowable over the cited references. Allowance of all claims 1-12 and of this entire application is therefore respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.
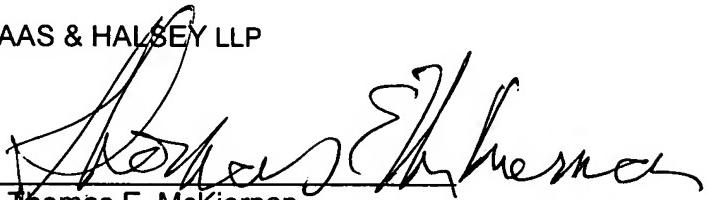
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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